

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Ashley Wilson, Individually and as)
Personal Representative of the Estate of)
Jeremy S. Wilson,)

Plaintiff,)

v.)

T & T Enterprises of Ohio, Inc. and the)
Estate of Eddie W. Wyatt,)

Defendants.)

C/A No.: 8:11-cv-3014-GRA

ORDER
(Written Opinion)

Dana Johnson, Individually and in her)
capacity as Personal Representative over)
the Estate of Clay L. Johnson,)

Plaintiff,)

v.)

T & T Enterprises of Ohio, Inc. and the)
Estate of Eddie W. Wyatt,)

Defendants.)

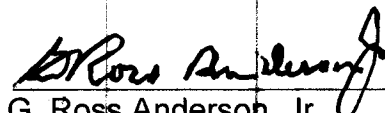
C/A No.: 8:11-cv-2857-GRA

This matter is before the Court on Plaintiff Dana Johnson, individually and in her capacity as Personal Representative over the Estate of Clay. L. Johnson ("Plaintiff Johnson") and Defendants' Joint Motion for Approval of Settlement. Pursuant to the Parties' Consent Order filed on February 10, 2012, a hearing was held in this matter before the Court on September 28, 2012 in Anderson, South Carolina.

Plaintiff Johnson and Defendants agreed to a settlement of a total of \$725,000 with \$500,000 coming from Defendant T & T Enterprises of Ohio, Inc.'s liability insurance policy and with \$225,000 coming personally from T & T. All parties agreed to this settlement except for Plaintiff Ashley Wilson, individually and as personal representative over the Estate of Jeremy S. Wilson ("Plaintiff Wilson"). The Court finds that because Plaintiff Wilson and her counsel oppose the settlement, they should be liable for these funds that were agreed to be paid to Plaintiff Johnson.

THEREFORE IT IS ORDERED that Plaintiff Wilson's counsel from the law firm of Strauch, Fitzgerald, and Green shall post a bond with the United States District Court in **the amount of \$725,000 made payable to the United States District Court** and deposited in the registry fund in a non-interest bearing account until further order of the Court. Upon a judgment for Plaintiff Johnson, this amount shall be paid immediately to her, individually and in her capacity as personal representative of the Estate of Clay L. Johnson. In the event a judgment is eventually awarded that is less than the bond amount, Plaintiff Wilson's counsel will be entitled to the difference. This bond must be posted no later than **1:30 p.m. today, September 28, 2012**. If Plaintiff Wilson's hired counsel fails to post bond by this deadline, the Court shall approve the settlement reached between Plaintiff Johnson and the Defendants.

IT IS SO ORDERED.


G. Ross Anderson, Jr.
Senior United States District Judge

September 28, 2012
Anderson, South Carolina